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Attorneys for Plaintiffs  
ELIZABETH AIDA HASKELL, REGINALD ENTO,  
JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
on behalf of themselves and others similarly situated

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ELIZABETH AIDA HASKELL,  
REGINALD ENTO, JEFFREY PATRICK  
LYONS, JR., and AAKASH DESAI, on  
behalf of themselves and others similarly  
situated,

Plaintiffs,

vs.

KAMALA D. HARRIS, Attorney General  
of California; EVA STEINBERGER,  
Assistant Bureau Chief for DNA Programs,  
California Department of Justice; and  
MICHAEL HENNESSEY, Sheriff, San  
Francisco County,

Defendants.

Civil Case No. C 09-4779 CRB

**CLASS ACTION**

**STIPULATION AND ~~PROPOSED~~  
ORDER RE: CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE**

Date: September 30, 2011  
Time: 8:30 a.m.  
Dept.: Courtroom 8, 19th Floor

Honorable Charles R. Breyer

Complaint Filed: October 7, 2009  
First Am. Complaint Filed: December 1, 2009

1 Plaintiffs Elizabeth Aida Haskell, Reginald Ento, Jeffrey Patrick Lyons, Jr., and Aakash  
 2 Desai, and Defendants Kamala D. Harris, Attorney General of California, and Eva Steinberger,  
 3 Assistant Bureau Chief for DNA Programs, California Department of Justice, by and through  
 4 their counsel, hereby agree and stipulate as follows:

5 WHEREAS, the parties have a Case Management Conference (“CMC”) currently  
 6 scheduled for September 30, 2011 at 8:30 a.m.;

7 WHEREAS, the Ninth Circuit held oral argument in the appeal of this Court’s denial of  
 8 preliminary injunction on July 13, 2010, but then entered an order withdrawing the appeal from  
 9 submission pending an *en banc* decision in *U.S. vs Pool*, No. 09-10303, and requesting that the  
 10 parties file simultaneous letter briefs on the effect of *Pool* with 45 days of the final decision;

11 WHEREAS, the Ninth Circuit vacated the scheduled *en banc* hearing in *Pool* on  
 12 September 19, 2011, and further dismissed the appeal and vacated the *Pool* panel’s opinion;

13 WHEREAS, by agreement of the parties, counsel request a continuance of approximately  
 14 180 days;

15 NOW THEREFORE, the parties hereby stipulate and agree that the September 30, 2011  
 16 CMC shall be continued, and that a CMC shall be held on March 30, 2012 at 8:30 a.m. Should an  
 17 earlier date become necessary or appropriate by any action of the Ninth Circuit, the parties will  
 18 contact the Court.

19 DATED: September 22, 2011 PAUL HASTINGS LLP

20 By: /s/ Eric A. Long  
 21 Eric A. Long

22 Attorneys for Plaintiffs  
 23 ELIZABETH AIDA HASKELL, REGINALD ENTO,  
 24 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
 25 on behalf of themselves and others similarly situated

26 DATED: September 22, 2011 OFFICE OF THE ATTORNEY GENERAL

27 By: /s/ Daniel J. Powell  
 28 Daniel J. Powell  
 Deputy Attorney General

Attorneys for Defendants  
 KAMALA D. HARRIS, Attorney General of California and  
 EVA STEINBERGER, Assistant Bureau Chief for DNA  
 Programs, California Department of Justice

1 I attest that concurrence in the filing of this document has been obtained from Daniel J. Powell,  
2 attorney for Defendants Harris and Steinberger.

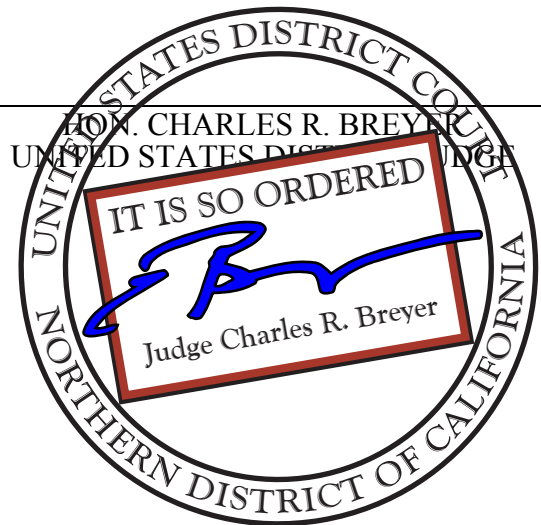
3 By: /s/ Eric A. Long  
4 Eric A. Long  
Paul Hastings LLP  
Attorneys for Plaintiffs

7 **ORDER**

8 The Court has considered the above Stipulation, and good cause appearing  
9 therefore, the Court hereby ORDERS as follows: The September 30, 2011 CMC shall be  
10 continued, and a Case Management Conference shall be held on March 30, 2012 at 8:30 a.m.

11 PURSUANT TO STIPULATION, IT IS SO ORDERED.

12  
13 DATED: \_September 26\_, 2011



21 LEGAL\_US\_W # 69129826.1